

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

In re:

City of Detroit, Michigan,  
Debtor.

Case No. 13-53846

Judge Thomas J. Tucker

Chapter 9

**ORDER SUSTAINING DEBTOR'S FORTY-SIXTH OMNIBUS  
OBJECTION TO CERTAIN CLAIMS**

**(No Basis: Expiration of Statute of Limitations)**

Upon review of the forty-sixth objection to claims (Docket # 11294, the "Claim Objection"),<sup>1</sup> of the Debtor, City of Detroit, Michigan (the "City"), seeking entry of an order disallowing and expunging each of the claims listed on Exhibit 2 to the Claim Objection; and this Court having jurisdiction over the Claim Objection under 28 U.S.C. §§ 157 and 1334 and Article VII of the Plan; and the Court finding that this is a core proceeding under 28 U.S.C. § 157(b)(2); and the Court finding that venue of this proceeding and the Claim Objection in this District is proper under 28 U.S.C. §§ 1408 and 1409; and the Court finding that the relief requested in the Claim Objection is in the best interests of the City and its creditors; and due and proper notice of the Claim Objection having been given as provided in the Claim Objection; and the Court finding that no other or further notice of the Claim Objection need be given; and a hearing on the Claim Objection having been held by the Court on July 20, 2016; and the only objection or other response filed to the Claim Objection having been overruled;<sup>2</sup> and the Court

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<sup>1</sup> Capitalized terms used but not otherwise defined herein have the meaning ascribed to them in the Claim Objection.

<sup>2</sup> The only response filed to the Claim Objection was the response filed by Shante Gowens (Docket # 11367). The Court heard oral arguments of counsel for the City and counsel for Ms. Gowens during the July 20, 2016 hearing, and then gave a bench opinion. The City's Claim Objection is being sustained by  
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finding that the legal and factual bases set forth in the Claim Objection and at the hearing establish just cause for the relief granted; and after due deliberation and good and sufficient cause appearing therefore;

IT IS ORDERED that:

1. The Claim Objection is sustained.
2. Each of the proofs of claim listed on Exhibit 2 annexed to the Claim Objection is disallowed and expunged in its entirety, under Section 502(b) of the Bankruptcy Code.
3. The City's claims agent is authorized to update the claims register to reflect the relief granted in this Order.
4. The City is authorized to take all actions necessary to effectuate the relief granted by this Order in accordance with the Claim Objection.
5. Each claim and the objections by the City to each claim as addressed in the Claim Objection and set forth on Exhibit 2 constitutes a separate contested matter as contemplated by Bankruptcy Rule 9014. This Order will be deemed and constitute a separate order with respect to each such claim and, to the extent necessary under Bankruptcy Rules 7054 and 9014, constitutes a final judgment with respect to such claim, and the Court expressly determines that there is no just reason for delay of the entry of the final judgment with respect to such claim. Any stay of this Order will apply only to the contested matter that involves such creditor and for which such stay has been granted or may be in effect, and will not act to stay the applicability or finality of this Order with respect to the other contested matters covered, and further provided

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this Order, with respect to the claim of Shante Gowens, for the reasons stated by the Court in its July 20, 2016 bench opinion.

that the City will have the right, but not the need, to submit a separate order with respect to contested matters or claims.

6. The City retains all of its rights to object, on the merits or any other basis, to any of the Claims identified on Exhibit 2.

7. Notice of the Claim Objection as provided therein is good and sufficient notice of such objection, and the requirements of Bankruptcy Rule 3007(a) and the local rules of the Court are satisfied by such notice.

8. Nothing in this Order is intended to, will constitute or will be deemed to constitute the City's consent, under section 904 of the Bankruptcy Code, to this Court's interference with (a) any of the political or governmental powers of the City, (b) any of the property or revenues of the City or (c) the City's use or enjoyment of any income-producing property.

**Signed on July 21, 2016**

/s/ Thomas J. Tucker  
**Thomas J. Tucker**  
**United States Bankruptcy Judge**